

REMARKS

Claims 29-31, 52-66, and 70-72 are pending in the above identified patent application. Claims 32-51 have been cancelled without prejudice. Claims 55, 58-66, and 70-72 are currently withdrawn from consideration. Of the claims at issue, claims 29 and 52 are independent. In view of the foregoing amendments and the following remarks, reconsideration of the application is respectfully requested.

Specification

The specification has not been amended as requested by the examiner. In particular, the examiner incorrectly identifies U.S. Serial Patent No. 10/006,558 as abandoned. In fact, The Office of Petitions granted a petition to revive U.S. Serial No. 10/006,558 on November 4, 2004, and the applicants are currently awaiting an Office action from the present technology art unit. The foregoing explanation should eliminate any objection to the specification.

Power of attorney

Submitted herewith is a copy of a properly executed Power of Attorney and Change of Address form. The applicants request that the necessary information be updated to reflect the proper information.

The Rejections under 35 U.S.C. § 102

Pending claims 29-31, 52-54, and 56-57 were rejected as anticipated by Overholt et al. (US 5,435,108). It is respectfully submitted that claim 29, as well as original independent claim 52 are allowable over this patent for at least the reasons set forth below.

Independent claim 29 is generally directed to a door that is able to recover from an impact. In particular, claim 1 recites, *inter alia*, a first door panel composed of a resilient core, a flexible covering, and a plurality of adjacent relatively rigid segments interposed between the resilient core and the flexible covering.

Overholt does not disclose the recited elements, because Overholt fails to teach or suggest a door panel with a plurality of adjacent relatively rigid segments as claimed. Specifically, Overholt is directed to plurality of rigid, insulated garage door panels, each panel having a single foam core surrounded by a rigid thin outer metal skin. Overholt does not teach or suggest a plurality of adjacent relatively rigid segments interposed between the resilient core and the flexible covering (i.e., within each door panel). Rather, the alleged “segments” (72) of Overholt are not segments at all, but are “U-shaped reinforcing member 72” provided with each flange of the unitary door panel to “provide a secure attachment point for the screws 70 joining the hinge 68 to the flange 30, 32.” (Overholt, col. 4, ll. 35-46). As illustrated in FIG. 2, there are three channels, but the two channels that are even arguably adjacent are within different panels, while the channels that are illustrated as within the same panel are clearly not adjacent. Accordingly, even if the channels could be considered relatively rigid segments, they are clearly not adjacent, while any channels that are even arguable adjacent are not interposed between the resilient core and the flexible covering, because the claims recite that the flexible covering comprises the first panel (i.e., a single door panel).

Furthermore, the alternatively alleged segments, (i.e., the “shafts of bolts 70” and their planar end faces) of Overholt are similarly not segments as claimed, but rather are simply screws for joining a hinge to the flange of the door panel. In particular, even assuming *arguendo* that the bolts are segments (which they are not), as clearly illustrated in FIG. 2 above, the bolts and planar end faces are not interposed between the resilient core and the flexible covering as claimed, but rather extend through the metal skin 26. Accordingly, Overholt simply cannot anticipate a plurality of adjacent relatively rigid segments interposed between the resilient core and the flexible covering, as claimed in independent claim 29.

Therefore, due to the deficiencies in Overholt, it follows that Overholt cannot anticipate claim 29 or any claims dependent thereon. In particular, because Overholt does not disclose or suggest a plurality of adjacent relatively rigid segments interposed between a resilient core and a flexible covering, Overholt cannot anticipate the present claims.

In regard to the rejection of claim 52, independent claim 52 recites an “articulated assembly operatively associated with at least one resilient core and the flexible covering.” As discussed previously, the articulated assembly may be, for example, a plurality of spaced apart plates to allow some relative movement of adjacent plates, such as, for example, a plurality of adjacent relatively rigid segments, as specifically claimed in dependent claim 56. As noted above, in sharp contrast, Overholt discloses a unitary, monolithic, U-shaped channel without any articulation at all.

Overholt simply does not teach or suggest the articulated assembly as claimed. Accordingly, Overholt cannot anticipate independent claim 52, or any claim dependent thereon.

Therefore, for the foregoing reasons, it is respectfully submitted that claims 29-31, 52-66, and 70-72 are in condition for allowance.

Conclusion

Reconsideration of the application and allowance thereof are respectfully requested. If there is any matter that the examiner would like to discuss, the examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,
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